

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
KNOXVILLE DIVISION**

LEWIS COSBY, KENNETH R. MARTIN,  
as beneficiary of the Kenneth Ray Martin  
Roth IRA, and MARTIN WEAKLEY on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

KPMG, LLP,

Defendants.

CLASS ACTION

JURY TRIAL DEMANDED

No. 3:16-cv-00121

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**DECLARATION OF GORDON BALL**

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I, Gordon Ball, hereby declare as follows:

1. I am a partner at Gordon Ball PLLC. I have personal knowledge of the matters stated herein. This declaration is being filed concurrently with the Second Amended Class Action Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of a certification pursuant to the Private Securities Litigation Reform Act executed by plaintiff Martin Weakley.

3. Attached hereto as Exhibit 2 is a true and correct copy of the U.S. Securities and Exchange Commission's Order Instituting Public Administrative and Cease-and-Desist Proceedings Pursuant to Sections 4c and 21c of the Securities Exchange Act of 1934 and Rule 102(e) of the Commission's Rules of Practice, Making Findings, and Imposing Remedial Sanctions and a Cease-and-Desist Order, in the Matter of KPMG LLP and John Riordan, CPA.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 16, 2016

/s/ Gordon Ball

Gordon Ball

### **CERTIFICATE OF SERVICE**

I do hereby certify that on this 16th day of September, 2017, a copy of the foregoing was submitted electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

/s/ Gordon Ball  
Gordon Ball